

COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING & ZONING DIVISION



City Planning Board Staff Reports 2021

Monday, June 7, 2021
7:00 P.M.
City Hall Forum

2021 City Planning Board Call to Order: Roll Call

Name	Term Expiration
Alex Wendt	04/24/2021
Amanda Fleming	01/01/2022
Charles Harris	03/30/2022
Trisha George	04/14/2022
Jack Spencer	06/16/2022
Kathryn Campbell	01/28/2023
Peg Foley	12/22/2023
Christin Brown-Worthington	03/02/2024
Lorin M Wear III	03/30/2024

**Agenda
City Planning Board
Springfield, Ohio
Monday, June 7, 2021
7:00 P.M.**

- 1. Call to Order**
- 2. Roll Call**
- 3. Approval of Minutes – May 10, 2021** ACTION
- 4. Case # 21-RW-03 Right of Way Vacation** DISCUSSION
Request to vacate the first alley east of Eden Avenue from & ACTION
Mulberry north to the first intersecting east-west alley.
- 5. Case # 21-RW-04 Right of Way Vacation** DISCUSSION
Request to vacate first alley north of Selma Rd from Cypress St & ACTION
southeast to the first interesting alley approximately 150'.
- 6. Case # 21-LS-01 Lot Split Variance** DISCUSSION
Request for a lot split variance for parcel #3300600006100019 & ACTION
– Bechtle Ave, to create a new parcel without frontage along a street.
- 7. Case # 21-DS-01 Dual Street Naming** DISCUSSION
Request to dual name McCreight Avenue from N Fountain & ACTION
Boulevard to Saint Paris Road “Hermann the Magician Way”.
- 8. Board Comments** DISCUSSION
- 9. Staff Comments** DISCUSSION
- 10. Adjourn - Next meeting July 12, 2021** ACTION

CITY PLANNING BOARD

Springfield, Ohio

Monday, May 10, 2021

7:00 P.M.

City Hall Forum

Meeting Minutes

(Summary Format)

Vice-Chairperson Jack Spencer called the meeting to order at 7:00 P.M.

MEMBERS: Ms. Peg Foley, Ms. Christin Brown, Mr. Lorin Wear, Ms. Kathryn Lewis-Campbell, Ms. Trisha George, Ms. Amanda Fleming, Mr. Charles Harris, Mr. Alex Wendt, and Mr. Jack Spencer.

MEMBERS ABSENT: None.

OTHERS PRESENT: Stephen Thompson, Planning, Zoning, and Code Administrator and other interested parties.

SUBJECT: Meeting minutes approval – April 12, 2021

Mr. Spencer asked for a motion to approve the minutes.

Ms. Fleming made a motion to approve the minutes. Seconded by Ms. Lewis-Campbell.

The minutes were approved by voice vote.

Case # 21-RW-02 Right of Way Vacation, Request to vacate the first alley east of Nagley Ave from the first alley north of Fulton Ave north to the intersecting East-West alley.

Mr. Thompson gave the staff report.

Mr. Spencer asked if there were any questions for Mr. Thompson. Hearing none, Mr. Spencer asked if the applicant or applicant's agent wished to speak.

Mr. Donald Elliot, 1426 Nagle St. Springfield, OH, 45505.

Mr. Elliot explained his neighbor Mr. Wilson uses the alley the most and takes care of the property off of Barclay, which is the applicant's son's property. Mr. Elliot explained the alley is never used by anyone but Mr. Wilson. Mr. Eliot explained his son wanted to divide off 40 feet of his property and gift it to Mr. Wilson. Mr. Elliot explained his son does not want the house and wished to give the land to Mr. Wilson. Mr. Elliot explained they were running into issues with easement right and had to get a lawyer involved. Mr. Elliot explained it was getting

expensive and they were just trying to be good people and gift the land to their neighbor.

Mr. Spencer question the part that would be vacated.

Mr. Elliot explained where the section was and the issue with getting the easement.

Mr. Spencer questioned what the issue was with the easement agreement.

Mr. Thompson explained part of any residential right of way vacation, a survey is prepared of what the dimensions pf the alley are.

Mr. Elliot stated a survey was not complete for the first part for the deed of easement. Mr. Elliot explained the lawyer would not do anything until a survey was completed.

Mr. Thompson stated during office hours he could work with the applicant and contact the attorney about the survey.

Mr. Elliot explained the additional twelve hundred dollar fee for the survey was unexpected. Mr. Elliot explained the lawyer fee was around two hundred dollars and that was affordable. Mr. Elliot expressed that he would like to work with Mr. Thompson on the survey. Mr. Elliot asked if another application was needed for the lot split.

Mr. Thompson stated that was correct.

Mr. Elliot asked if there would be an issue getting the lot split.

Mr. Thompson explained it would be hard to say without looking at the map and how it would be split. Mr. Thompson did not believe there would be any issues based off of their conversations.

Mr. Elliot asked if he would need to have the survey before the lot split could be approved.

Mr. Thompson explained the survey would need to be included with the application.

Mr. Elliot asked if he would have to pay twelve hundred dollars before he would get an answer.

Mr. Thompson explained they would need to know the exact dimensions before they can approve anything.

Mr. Elliot questioned if it could be a general forty foot off the property.

Mr. Thompson stated no it could not.

Mr. Elliot asked why.

Mr. Thompson explained that's how the ordinances were written and it was part of the Ohio

Revised code. Mr. Thompson explained a survey and a legal description were needed to know exactly what was being approved.

Mr. Spencer asked when an alley is vacated, the property is split down the middle. Mr. Spencer asked in addition to that if the city was requiring the easement.

Mr. Thompson explained when it becomes private property, the neighbor to the North would be trespassing. Mr. Thompson explained the access easement agreement would allow the neighbor to trespass on the other property to access his garage.

Mr. Spencer asked if that was the only garage.

Mr. Thompson stated that was correct.

Mr. Spencer asked if there were any questions from the board.

Ms. Fleming explained her concerns were about the future and future development of the properties. Ms. Fleming explained it could get complicated for future residents.

Mr. Elliot explained he had lived on the property for thirty eight years and the ally had been nothing but problems with theft and crime. Mr. Wilson started using the ally and the activity started to slow down. Mr. Elliot explained allies are trouble.

Mr. Spencer asked if the ally was paved.

Mr. Elliot explained the ally was not paved, it was a grass strip that's maintained by Mr. Wilson and the other three neighbors. Mr. Elliot explained that entire block had four property owners and all the land was owned, they are not vacant lots.

Mr. Spencer questioned if the ally was an abandoned alley.

Mr. Elliot said it had always been abandoned for as long as he has lived there.

MOTION: Motion by Mr. Wendt to recommend vacating the first alley east of Nagley Ave from the first alley north of Fulton Ave north to the intersecting East-West alley. Seconded by Ms. Foley.

YEAS: Ms. Lewis-Campbell, Mr. Harris, Ms. George, Ms. Worthington, Mr. Wear, Ms. Foley, Mr. Wendt, and Mr. Spencer

NAYS: Ms. Fleming.

ABSTAIN: None.

Motion approved.

Case # 21-Z-04 Amend an Approved CC-2A Plan, Request to amend the approved site

plan for N Becthle Avenue, parcel # 3300600006300025 to allow for a new restaurant to be constructed.

Mr. Thompson gave the staff report.

Mr. Spencer asked if there were any questions for Mr. Thompson. Hearing none, Mr. Spencer asked if the applicant wished to speak.

Mr. Henry Clover, 8813 Penrose Lane, Suite 400, Lenexa, KS 66219.

Mr. Clover explained they planned to put a Panda Express on Becthle Avenue. Mr. Clover offered to show the board the photos of what the restaurant would look like.

The board expressed they would like to see the images.

Mr. Clover went through a slide show explained the details in each picture.

Mr. Spencer asked if the board had any questions for the applicant. Hearing none, Mr. Spencer asked if there was anyone else that wished to speak. Hearing none, Mr. Spencer asked for a motion.

MOTION: Motion by Ms. Fleming to table the case until the applicant could be present.
Seconded by Mr. Harris

YEAS: Ms. Lewis-Campbell, Mr. Harris, Ms. George, Ms. Worthington, Mr. Wear, Ms. Foley, Mr. Wendt, Ms. Fleming, and Mr. Spencer.

NAYS: None.

ABSTAIN: None.

Motion approved.

Case # 21-Z-05 Rezoning, Request to rezone 1106-1112 and 1116 S Limestone Street from RM-12, Low-Density, Multi-Family Residence District to CN-2, Neighborhood Commercial District.

Mr. Thompson gave the staff report.

Mr. Spencer asked if there were any questions for Mr. Thompson. Hearing none, Mr. Spencer asked if the applicant wished to speak.

Ms. Bass. 1116 S Limestone St, Springfield, OH 45505

Ms. Bass explained they had been operating the business since 1996 and thought they had the correct zoning but did not. They wished to correct the zoning.

Mr. Spencer asked if the board had any questions for the applicant. Hearing none, Mr. Spencer asked if there was anyone else that wished to speak. Hearing none, Mr. Spencer asked for a

motion.

MOTION: Motion by Ms. Fleming to recommend approving a request to rezone 1106-1112 and 1116 S Limestone Street from RM-12, Low-Density, Multi-Family Residence District to CN-2, Neighborhood Commercial District. Seconded by Ms. Lewis-Campbell.

YEAS: Ms. Lewis-Campbell, Mr. Harris, Ms. George, Ms. Worthington, Mr. Wear, Ms. Foley, Mr. Wendt, Ms. Fleming, and Mr. Spencer

NAYS: None.

ABSTAIN: None.

Motion approved.

Case # 21-Z-06 Rezoning, Request to rezone 119-121 E Grand Ave from RS-8, Medium-Density, Single-Family Residence District to CN-2, Neighborhood Commercial District.

Mr. Thompson gave the staff report.

Mr. Spencer asked if there were any questions Mr. Thompson. Hearing none, Mr. Spencer asked if the applicant wished to speak.

Ms. Bass. 1116 S Limestone St, Springfield, OH 45505.

Ms. Bass explained the lot was littered with trash and she wished to clean it up and make it a parking lot for her business.

Ms. Christina Whaley, 118 East Grand Ave. Springfield, OH 45505.

Ms. Whaley explained she wanted to know what the intentions were for the lot. Ms. Whaley explained she would hate to see a parking lot there. Ms. Whaley pointed out that the applicant had done several nice things for the community, however, she would prefer not to have a parking lot across the street from her. Ms. Whaley expressed appreciation for wanting to clean up the area.

Ms. Bass stated Ms. Whaley's property was beautiful and she would love to make that lot just as nice. Ms. Bass explained she did not plan to put parking all the way to the street. Ms. Bass explained she would make the property look really nice.

Ms. Whaley explained she was worried about it looking commercial.

Ms. Fleming questioned if she was worried about it not feeling residential.

Ms. Whaley explained they were trying to keep it as residential as possible considering it's so close to mixed zoning on South Limestone.

Ms. George suggested adding shrubs or landscaping the parking lot to screen it.

Mr. Spencer questioned why she wanted to put a parking lot in.

Ms. Bass explained she would like the extra parking for her business. Ms. Bass expressed that she understood trying to clean up the neighborhood and planned to add landscaping.

Mr. Spencer asked if that alleviated the concerns.

Ms. Whaley stated they could work together and come up with some great ideas for the neighborhood.

Ms. Bass agreed.

Mr. Spencer asked if there were any further questions. Hearing none, Mr. Spencer asked for a motion.

MOTION: Motion by Ms. Fleming to recommend a request to rezone 119-121 E Grand Ave from RS-8, Medium-Density, Single-Family Residence District to CN-2, Neighborhood Commercial District. Seconded by Ms. George.

YEAS: Ms. Lewis-Campbell, Mr. Harris, Ms. George, Ms. Worthington, Mr. Wear, Ms. Foley, Mr. Wendt, Ms. Fleming, and Mr. Spencer.

NAYS: None.

ABSTAIN: None.

Motion approved.

Case # 21-Z-07 Rezoning, Request to rezone 1220 E Home Road from CO-1, Commercial Office District to CC-2, Community Commercial District.

Mr. Thompson gave the staff report.

Mr. Spencer asked if there were any questions for Mr. Thompson.

Ms. Foley expressed concerns about the curb cuts and the heavy traffic.

Mr. Thompson explained the parcel currently has two curbs cuts off of East home Road. Mr. Thompson explained they were proposing removing one of the curb cut on Home Road and adding one on Derr Road. Mr. Thompson talked with the city engineer and he did not see any immediate concerns. Mr. Thompson explained once building plans have been submitted, a more thorough inspection would be done. Mr. Thompson explained the engineering department had no concerns with the rezoning aspect.

Mr. Spencer explained heading north on Derr Road, there is a double yellow line and drivers would not be able to cross to enter.

Mr. Thompson explained those details would be worked out in the building permitting process.

Mr. Dave Mitchell, owner of reliable construction.

Mr. Mitchell explained his construction background. Mr. Mitchell explained the parcel was around 2.3 acres and would allow for good circulation. Mr. Mitchell explained the owner intended to build a Shell Gas station, a convenience store with a fried chicken offering with indoor seating, a tunnel car wash on the back of the lot, and the existing office building would remain as the administrative office for the owners other businesses. Mr. Mitchell explained the electric service would include 480 high voltage electric to charge electric cars in a timely manner.

Ms. Foley asked if there would be an attempt to preserve some of the wooded features.

Mr. Mitchell explained he would like to keep some of the vegetation in place. Mr. Mitchell explained there would be existing tree areas and landscaping.

Ms. Fleming asked if there had been any complaints from the neighbors.

Mr. Thompson stated there was someone that called from the doctor's office but did not receive any formal complaints. One concern was about the lighting and making sure it wasn't too bright at night.

Mr. Spencer asked if there were any studies had been conducted on traffic.

Mr. Mitchell explained there was a lot of traffic. Mr. Mitchell explained a convenience store general takes advantage of existing traffic rather than adding new traffic. Mr. Mitchell suggested there would be very little impact on traffic.

Mr. Spencer questioned if there was a Dollar General across the street.

Mr. Thompson stated it was south west of the location.

Ms. George expressed the corner was a nice wooded area and had concerns for the residential properties in the area.

Mr. Thompson point out the commercial businesses surrounding the area and explained the property was zoned commercial office.

Ms. Fleming explained if this business did not go in, office space could potentially go in.

Mr. Spencer asked if the gas station would be a conditional use.

Mr. Thompson explained that was correct and the applicant would have to go in front of the Board of Zoning Appeals and would address concerns about screening and lighting.

Mr. Spencer asked if the board had any further questions. Hearing none, Mr. Spencer asked if there was anyone else that wished to speak. Hearing none, Mr. Spencer asked for a motion.

MOTION: Motion by Ms. Fleming to recommend approval of a request to rezone 1220 E

Home Road from CO-1, Commercial Office District to CC-2, Community Commercial District.
Seconded by Mr. Wendt.

YEAS: Ms. Lewis-Campbell, Mr. Harris, Ms. Worthington, Mr. Wear, Ms. Foley, Mr. Wendt, Ms. Fleming, and Mr. Spencer.

NAYS: Ms. George.

ABSTAIN: None.

Motion approved.

SUBJECT: Elect New Chair Person.

Motion by Ms. George to elect Mr. Jack Spencer as the Chair Person. Seconded by Mr. Wendt.

Approval by voice vote. Approved unanimously.

SUBJECT: Elect New Vice Chair Person.

Motion by Ms. George to elect Mr. Alex Wendt as the Vice-Chair Person. Seconded by Ms. Fleming.

Approval by voice vote. Approved unanimously.

SUBJECT: Board Comments.

None.

SUBJECT: Staff Comments.

Mr. Thompson asked the board to consider everyone sitting up top. Mr. Spencer suggested leaving it up to the board members.

SUBJECT: Adjournment

Motion to adjourn by Mr. Wendt. Seconded by Ms. George.

Approved by voice vote. Adjourned at 8:00 P.M.

Mr. Jack Spencer, Vice-Chairperson.

Agenda Item # 4

Case # 21-RW-03

Right of Way Vacation



FOR OFFICE USE ONLY	
Case #:	<u>21-RW-03</u>
Date Received:	<u>5/3/21</u>
Received by:	<u>ST</u>
Application Fee:	\$ <u>10</u>
Review Type:	<input type="checkbox"/> Admin <input checked="" type="checkbox"/> CPB <input type="checkbox"/> BZA

GENERAL APPLICATION

A. PROJECT

1. Application Type & Project Description (attach additional information, if necessary):
VACATE Alley - place privacy fence across end of alley to
Create shared driveway for 1116 + 1118 W. Mulberry St.
2. Address of Subject Property: Between 1116 + 1118 W. Mulberry St
3. Parcel ID Number(s): NA
4. Full legal description attached? ☐ yes ☐ no NA
5. Size of subject property: NA
6. Current Use of Property: Alley - public
7. Current Zoning of Property: NA

B. APPLICANT

1. Applicant's Status (attach proof of ownership or agent authorization) ☒ Owner
☐ Agent (agent authorization required) ☐ Tenant (agent authorization required)
2. Name of Applicant(s) or Contact Person(s): *Kelly Randall + Jacob Putnam
John O'Connor Leslie Putnam**
Title: NA Michael Smouse
Company (if applicable): NA
Mailing address: 1116 W. Mulberry St + 1118 W. Mulberry St.
City: Springfield State: OH ZIP: 45506
Telephone: (937) 408-8947* Fax: () None
937 408-5817**
Email: maybe-now@hotmail.com

3. If the applicant is agent for the property owner:

Name of Owner (title holder): NA

Mailing Address: NA

City: NA State: NA ZIP: NA

**I/WE CERTIFY AND ACKNOWLEDGE THAT THE INFORMATION
CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY/OUR
KNOWLEDGE.**

Kelly Randall
Signature of Applicant

Leslie A. Putnam
Signature of Co-applicant

Kelly Randall
Typed or printed name and title of applicant

Leslie A. Putnam
Typed or printed name of co-applicant

State of Ohio

County of CLARK

The foregoing instrument was acknowledged before me this 23rd day of
April, 2021

by Ruby E. Clark (name of person acknowledged).

(seal)

Ruby E. Clark
Notary Public Signature

My commission expires: June 19, 2023



☒ Planning & Zoning

COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING & ZONING DIVISION
Right-of-Way Vacation Application

Date 4-26-2021
Applicant Name: Kelly Randall Leslie Putnam
John O'Connor + Joels Putnam
Michael Smouse
Address: 1116 W. Mulberry + 1118 W. Mulberry St
Springfield, OH 45506

Please include the following Exhibits:

Exhibit A

A plot plan is to be attached which indicates the right-of-way to be vacated.

Exhibit B

State the reason for the requested right-of-way vacation. (These statements will be considered by the Planning Staff, the City Planning Board, and the City Commission as the request is reviewed.) This is to be attached and made a part of this petition.

Exhibit C

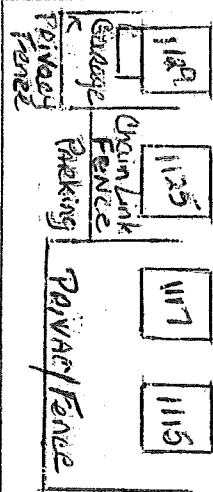
If required by the City Planning Board, a cross-access easement agreement would need to be signed by all affected neighbors prior to the City Commission Public Hearing.

I, the undersigned, depose and state that I am an interested party in the right-of-way involved in this petition.

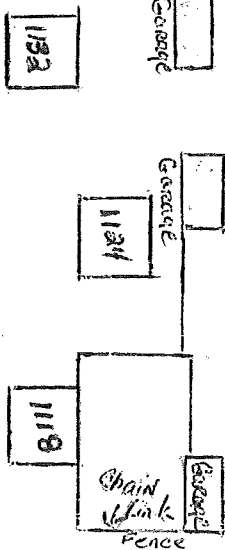
Kelly Randall
Signature

Jefferson St

Eden St



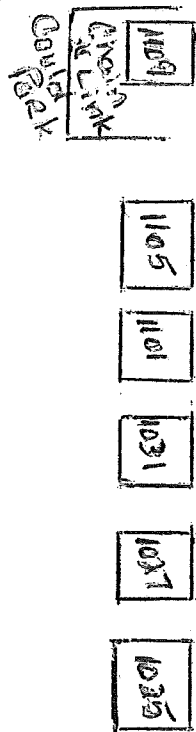
Alley



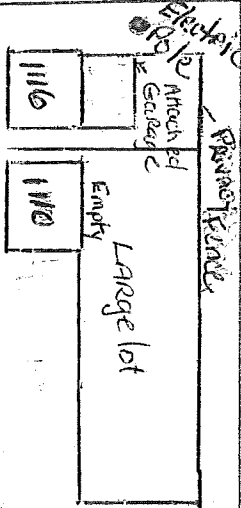
Alley

Alley

*
--- area to be vacated



Alley



Alley

303

331

Western St

W. Mulberry St

*
--- area to be vacated

Bell St

4/26/2021

We want to vacate the alley between 1116 & 1118 W Mulberry St. to use as shared private driveway.

Reasons why:

1. Alley was paved by previous owners of 1116 W. Mulberry and EVERYBODY uses it!
2. Due to the constant volume and speed of traffic through the alley, we (current owners of 1116) added 2 speed bumps. This slowed traffic speed a bit but not the amount of traffic.
3. Kids playing in alley, the traffic in alley does not watch for the kids or animals.
4. Kids roaming in the alley taunt the dogs (1118), chase the cats (1116), throw rocks, destroy property, leave trash and steal.
5. On Easter Sunday 2021 someone attempted to steal dog (1118) from yard. If alley had been blocked may have prevented attempt.
6. Both garages (1116 & 1118) open onto this alley.
7. Vacated alley would limit access to garages to prevent theft as well as damage to garages, cars and property.
8. Even with this alley vacated the city can still access the electric pole from W. Mulberry Street.

STAFF REPORT

TO: City Planning Board

DATE: April 7, 2021

PREPARED BY: Stephen Thompson

SUBJECT: Right-of-Way Vacation #21-RW-03

GENERAL INFORMATION:

Applicant: Keely Randall, John O'Connor, Michael Smouse, & Jacob & Leslie Putnam, 1116 W Mulberry St. & 1118 W Mulberry St., Springfield, OH 45506

Requested Action: Request to vacate the first alley east of Eden Avenue from Mulberry north to the first intersecting east-west alley.

Petitioner's Comments: See attached Exhibit C

Adjoining Property Owners: See attached Exhibit B

File Date: May 3, 2021

RETURNED REPORTS:

Columbia Gas: No objections

Spectrum: No objections; no issues with the alley vacation as long as we can continue to have access to our lines for maintenance

AT&T: No objections

Ohio Edison: No objections; have facilities within the alley. Access rights & easement rights must be maintained.

City Service Department: No objections

Building Inspections: No objections

Fire Division: No objections

Police Division: No objections

City Manager's Office: No objections

Planning and Zoning: The applicants are the owners on either side of the

alley.

STAFF RECOMMENDATION:

Approval of the request to vacate the subject right of way.

ATTACHMENTS:

1. Vicinity map
2. Petition with petitioner's comments

4/26/2021

We want to vacate the alley between 1116 & 1118 W Mulberry St. to use as shared private driveway.

Reasons why:

1. Alley was paved by previous owners of 1116 W. Mulberry and EVERYBODY uses it!
2. Due to the constant volume and speed of traffic through the alley, we (current owners of 1116) added 2 speed bumps. This slowed traffic speed a bit but not the amount of traffic.
3. Kids playing in alley, the traffic in alley does not watch for the kids or animals.
4. Kids roaming in the alley taunt the dogs (1118), chase the cats (1116), throw rocks, destroy property, leave trash and steal.
5. On Easter Sunday 2021 someone attempted to steal dog (1118) from yard. If alley had been blocked may have prevented attempt.
6. Both garages (1116 & 1118) open onto this alley.
7. Vacated alley would limit access to garages to prevent theft as well as damage to garages, cars and property.
8. Even with this alley vacated the city can still access the electric pole from W. Mulberry Street.



Right of Way Vacation # 21-RW-03
W Mulberry St.



Agenda Item # 5
Case # 21-RW-04
Right of Way Vacation



☒ Planning & Zoning

FOR OFFICE USE ONLY

Case #: 21-RW-04

Date Received: 5/10/21

Received by: ST

Application Fee: \$ 90

Review Type:

☐ Admin ☒ CPB ☐ BZA

GENERAL APPLICATION

A. PROJECT

1. Application Type & Project Description (*attach additional information, if necessary*):

Alley vacate

2. Address of Subject Property: _____

3. Parcel ID Number(s): _____

4. Full legal description attached? ☐ yes ☒ no

5. Size of subject property: _____

6. Current Use of Property: _____

7. Current Zoning of Property: Alley

B. APPLICANT

1. Applicant's Status (*attach proof of ownership or agent authorization*) ☐ Owner

☐ Agent (*agent authorization required*) ☐ Tenant (*agent authorization required*)

2. Name of Applicant(s) or Contact Person(s): Renee Hayes

Title: _____

Company (if applicable): _____

Mailing address: 912 Cypress St.

City: Springfield State: OHIO ZIP: 45505

Telephone: (937) 215-6520 Fax: () _____

Email: naehayes81@gmail.com

3. If the applicant is agent for the property owner:

Name of Owner (title holder): _____

Mailing Address: _____

City: _____ State: _____ ZIP: _____

**I/WE CERTIFY AND ACKNOWLEDGE THAT THE INFORMATION
CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY/OUR
KNOWLEDGE.**

Renee L. Hayes
Signature of Applicant

Signature of Co-applicant

Renee L. Hayes
Typed or printed name and title of applicant

Typed or printed name of co-applicant

State of Ohio

County of Clark

The foregoing instrument was acknowledged before me this 7 day of
May, 2021

by Renee L. Hayes (name of person acknowledged).

(seal)



WILMA D. HICKS
NOTARY PUBLIC, STATE OF OHIO
Recorded in Clark County
My Commission Expires 3/31/2024

Wilma D. Hicks

Notary Public Signature

My commission expires: 3-31-2024



☒ Planning & Zoning

COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING & ZONING DIVISION
Right-of-Way Vacation Application

Date 5/7/2021

Applicant Name: Renee Hayes

Address: 912 Cypress St.

Please include the following Exhibits:

Exhibit A

A plot plan is to be attached which indicates the right-of-way to be vacated.

Exhibit B

State the reason for the requested right-of-way vacation. (These statements will be considered by the Planning Staff, the City Planning Board, and the City Commission as the request is reviewed.) This is to be attached and made a part of this petition.

Exhibit C

If required by the City Planning Board, a cross-access easement agreement would need to be signed by all affected neighbors prior to the City Commission Public Hearing.

I, the undersigned, depose and state that I am an interested party in the right-of-way involved in this petition.

Renee L. Hayes
Signature



The main reason for the request for the alley vacate is for the safety of myself and my neighbors. Buckeye street seems to be the source of the problem. The alley has been utilized for drug deals, prostitutes, speeding cars, a trash dump and unwelcomed visitors who sit under the tree or on an old piece of wood at the Essex entrance that seem to bring this traffic. There has been police calls regarding the stated amongst many others to the Springfield Police that might be public record that can verify these statements. I believe it was 5/5/2021 a man tried running in my home from a fight that was going on on Buckeye St. I tagged the police down out front. The man didn't appear to be in his right mind and his face looked like he had been assaulted but they let the man go. The same man a little later did get into the next home at the end of the next alley. Last summer several cars pulled in the Soap Box to get out and run up the alley into the rear yards of Buckeye St. A truck involved had stopped in the alley, between my home and the Soap Box. After the incident this same truck sped off throwing gravel back which cracked my window.

Another reason for this request is the trash/dumping that occurs. The alley separates my property from the old Soap Box which is no longer being used for business. The owner does seem to keep up on the grass but I pick up the trash. I try to keep the street area and the alley clean also. I don't mind as I don't want to live with it but I don't contribute to it.

STAFF REPORT

TO: City Planning Board

DATE: April 7, 2021

PREPARED BY: Stephen Thompson

SUBJECT: Right-of-Way Vacation #21-RW-04

GENERAL INFORMATION:

Applicant: Renee Hayes, 912 Cypress St., Springfield, OH 45505

Requested Action: Request to vacate first alley north of Selma Rd from Cypress St southeast to the first interesting alley approximately 150'.

Petitioner's Comments: See attached Exhibit C

Adjoining Property Owners: See attached Exhibit B

File Date: May 10, 2021

RETURNED REPORTS:

Columbia Gas: No objections

Spectrum: No objections

AT&T: No objections

Ohio Edison: No objections; reserve easement rights.

City Service Department: No objections; There is a public storm sewer in the alley. City must maintain easement rights, easement cannot be blocked and no structures can be built over the sewer.

Fire Division: No objections

Building inspections: No objections

Police Division: No objections

City Manager's Office: No objections

Planning and Zoning: The applicant states the request is to reduce the crime and traffic that occurs in the alley.

STAFF RECOMMENDATION:

Approval of the request to vacate the subject right of way.

ATTACHMENTS:

1. Vicinity map
2. Petition with petitioner's comments

The main reason for the request for the alley vacate is for the safety of myself and my neighbors. Buckeye street seems to be the source of the problem. The alley has been utilized for drug deals, prostitutes, speeding cars, a trash dump and unwelcomed visitors who sit under the tree or on an old piece of wood at the Essex entrance that seem to bring this traffic. There has been police calls regarding the stated amongst many others to the Springfield Police that might be public record that can verify these statements. I believe it was 5/5/2021 a man tried running in my home from a fight that was going on on Buckeye St. I flagged the police down out front. The man didn't appear to be in his right mind and his face looked like he had been assaulted but they let the man go. The same man a little later did get into the next home at the end of the next alley. Last summer several cars pulled in the Soap Box to get out and run up the alley into the rear yards of Buckeye St. A truck involved had stopped in the alley, between my home and the Soap Box. After the incident this same truck sped off throwing gravel back which cracked my window.

Another reason for this request is the trash/dumping that occurs. The alley separates my property from the old Soap Box which is no longer being used for business. The owner does seem to keep up on the grass but I pick up the trash. I try to keep the street area and the alley clean also. I don't mind as I don't want to live with it but I don't contribute to it.



Right of Way Vacation # 21-RW-04
Cypress St.



Agenda Item # 6
Case # 21-LS-01
Lot Split Variance

**FOR OFFICE USE ONLY**Case #: 21-LS-02Date Received: 5/17/21Received by: STApplication Fee: \$ 285

Review Type:

☒ Admin ☒ CPB ☐ BZA**GENERAL APPLICATION****A. PROJECT**1. Application Type & Project Description (*attach additional information, if necessary*):Lot split to create two parcels ID's2. Address of Subject Property: N. Bechtle Avenue, Springfield, OH 455043. Parcel ID Number(s): 33006000061000194. Full legal description attached? ☒ yes ☐ no5. Size of subject property: 13.27 acres6. Current Use of Property: Undeveloped7. Current Zoning of Property: CC-2 A**B. APPLICANT**1. Applicant's Status (*attach proof of ownership or agent authorization*) ☐ Owner☒ Agent (*agent authorization required*) ☐ Tenant (*agent authorization required*)2. Name of Applicant(s) or Contact Person(s): Art HardenTitle: PresidentCompany (if applicable): Calibre Engineering, Inc.Mailing address: 10534-B Success LaneCity: Centerville State: Ohio ZIP: 45458Telephone: (937) 885-9380 Fax: ()

Email

CalibreEng@aol.com

3. If the applicant is agent for the property owner:

Name of Owner (title holder): North Bechtle Square I Inv LLC

Mailing Address: Attn: John Vlahos 10085 Wellington Blvd

City: Powell State: Ohio ZIP: 43065

**I/WE CERTIFY AND ACKNOWLEDGE THAT THE INFORMATION
CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY/OUR
KNOWLEDGE.**

Art Harden
Signature of Applicant

Signature of Co-applicant

Art Harden, President
Typed or printed name and title of applicant

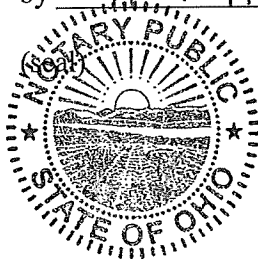
Typed or printed name of co-applicant

State of Ohio

County of MONTGOMERY

The foregoing instrument was acknowledged before me this 15th day of
MAY, 2021

by ART HARDEN (name of person acknowledged).



KIMBERLY J. MORGAN
Notary Public, State of Ohio
My Comm. Expires 9/15/24

Kimberly J. Morgan
Notary Public Signature

My commission expires: 9/15-24



CITY OF SPRINGFIELD
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING & ZONING DIVISION

LOT SPLIT VARIANCE APPLICATION

To be filed in the Community Development Department, Office of the Planning & Zoning Administrator.

This application is not considered filed unless all spaces are filled and the necessary items have been submitted. Any or all items may be rejected if not clearly discernible.

(PLEASE PRINT)

NAME OF APPLICANT: Art Harden, Calibre Engineering
ADDRESS: 10534-B Success Ln. Centerville OH 45438 PHONE: 937885-9380
NAME OF OWNER: North Beechle Square 2 Inv. LLC

ADDRESS: 10085 Wellington Blvd Powell, OH 43065 PHONE: _____

LOCATION OF LOT SPLITS:

City Springfield County Clark Township _____

Section 1 & 6 Township 4 4 4 Range 10 & 9

SIZE OF TRACT BEFORE LOT SPLIT:

Parcel # _____ Acreage 13.27 Frontage on public road 381.78
Parcel # _____ Acreage _____ Frontage on public road _____

SIZE OF TRACT(S) AFTER SPLIT:

Lot # 1 Acreage 1.831 Frontage on public road 381.78
Lot # 2 Acreage 11.593 Frontage on public road none
Lot # _____ Acreage _____ Frontage on public road _____
Lot # _____ Acreage _____ Frontage on public road _____

Parcel # 3300600006100019



☐ Planning & Zoning

CITY OF SPRINGFIELD
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING & ZONING DIVISION

PROPERTY OWNER AFFIDAVIT (IF NECESSARY)

Address: N. Bechtle Avenue, Springfield, OH 45504
Parcel No.: 3300600006100019
Acreage: 13.27
Agent Name: Art Harden
Agent Tax Mailing Address: 10534 Success Lane, Ste. B
Centerville, OH 45458
Agent Phone Number: (937) 885-9380
Owner Name: North Bechtle Square I Investments LLC
Owner Tax Mailing Address: 1008 Wellington Road
Powell, OH 43165
Owner Phone Number: (614) 537-4475
Requested Action (to be conducted by Agent, authorized by owner): The property owner proposes to split Parcel No. 3300600006100019 in order to provide a future replat with Parcel No. 330600006100024, as presented in the May 5, 2020 land use change approved by the City.

I hereby certify that:

I am the property owner of record. I authorize the above listed agent to act on my behalf for the purposes of this application.

Property owner
signature:

John Vlahos

Printed name:

John Vlahos

Date:

March 24, 2021

State of Ohio

County of Delaware

The foregoing instrument was acknowledged before me this 24th day of March, 2021
by John J. Vlahos (name of person acknowledged).

(seal)



Notary Public Signature

Commission expires: 2/7/2022



☐ Planning & Zoning

CITY OF SPRINGFIELD
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING & ZONING DIVISION

PROPERTY OWNER AFFIDAVIT (IF NECESSARY)

Address: N. Bechtle Avenue, Springfield, OH 45504
Parcel No.: 3300600006100024
Acreage: 7.13 acres

Agent Name: Art Harden
Agent Tax Mailing Address: 10534 Success Lane, Ste. B
Centerville, OH 45458
Agent Phone Number: (937) 885-9380

Owner Name: Zuber Crossing LLC
Owner Tax Mailing Address: 1008 Wellington Road
Powell, OH 43165
Owner Phone Number: (614) 537-4475

Requested Action
(to be conducted by
Agent, authorized by
owner): The property owner proposes to replat Parcel No.
3300600006100024 and Parcel No. 3300600006100019,
as presented in the May 5, 2020 land use change approved
by the City.

I hereby certify that:

I am the property owner of record. I authorize the above listed agent to act on my behalf for the purposes of this application.

Property owner
signature:

John Vlahos

Printed name:

John Vlahos

Date:

March 24, 2021

State of Ohio

County of

Delaware

The foregoing instrument was acknowledged before me this 24th day of March, 2021

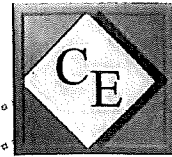
by John J. Vlahos (name of person acknowledged).

(seal)



[Signature]
Notary Public Signature

My commission expires: 2/7/2022



May 15, 2021

Stephen Thompson
Planning, Zoning, and Code Administrator
76 E. High St.
Springfield, OH 45502

Re: Bechtle Square Land Lot Split
Parcel Number: 3300600006100019
Clark, County, Springfield, OH

Dear Steve:

We are requesting a Lot Split of reference parcel in conjunction with the land use changes previously approved but the City. Currently two tracts are listed as one parcel in the County Records. The 11.593 acre tract located behind the Hobby Lobby and Walmart will not have direct public road frontage but will be accessible through current easement agreements.

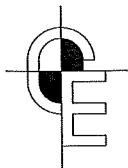
Should you have any questions regarding the above, please contact me.

Sincerely,

Art Harden, P.E.
President

AH/km

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Cosler Engineering, LLC
Civil Engineering • Land Surveying

545 Hilltop Road
Beavercreek Twp. OH 45385
(937) 426-9913
mcosler@sbcglobal.net

Exhibit A

Tract 1

Description of North Bechtle Square I Investments LLC Property

1.831 acres

March 8, 2021

Located in Section 1, Town 4, Range 10 Between the Miami Rivers and in Section 6, Town 4, Range 9 Between the Miami Rivers, City of Springfield, Clark County, Ohio, and being part of an original 32.437 acre tract of land conveyed to North Bechtle Square I Investments LLC (Parcel #3200200001000127) and (Pt. Parcel #3300600006100019) by deed recorded in O.R. 1712, Page 1460 of the Official Records of Clark County, Ohio, and a 0.20 acre tract of land conveyed to North Bechtle Square I Investments LLC (Parcel #3300600006201001) by deed recorded in O.R. 1809, Page 2272 of the Official Records of Clark County, Ohio, more particularly described as follows:

Starting, for reference purposes, at an iron pin (bent) found at the northeast corner of Lot 18973 in North Bechtle Square Section Four as recorded in Plat Book 18, Page 69 of the Plat Records of Clark County, Ohio and at the southeast corner of a 7.129 acre tract of land conveyed to Zuber Crossing LLC by deed recorded in O.R. 2152, Page 3551 (Parcel 5) of the Official Records of Clark County, Ohio;

thence with the east line of said Zuber Crossing LLC land, North 36°00'04" East for 409.46 feet to an iron pin set at the northeast corner of said Zuber Crossing LLC land and in the south line of a remaining part of a 2.41 acre tract of land conveyed to Gary Moser by deed recorded in O.R. 2160, Page 5368 (Tract I) of the Official Records of Clark County, Ohio;

thence with the north line of said Zuber Crossing LLC land and the south line of said Moser land, North 48°20'14" West for 271.16 feet to an iron pin set at the southwest corner of said Moser land and at the **POINT OF BEGINNING** of the herein described tract of land;

thence with the north and east lines of said Zuber Crossing LLC land for the following five (5) courses:

1. North 48°20'14" West for 29.40 feet to an iron pin set;
2. North 03°57'20" West for 205.30 feet to an iron pin set;
3. North 16°53'13" East for 214.25 feet to an iron pin set;
4. North 56°38'28" East for 66.20 feet to an iron pin set in the west right-of-way line of Saint Paris Pike (width varies);

thence still with the east line of said Zuber Crossing LLC land and with the west right-of-way line of Saint Paris Pike, North 29°42'24" West for 67.01 feet to an iron pin set in the south line of a 0.62 acre tract of land conveyed to the State of Ohio by deed recorded in Deed Book 621, Page 13 of the Deed Records of Clark County, Ohio;

thence with the south line of said State of Ohio land, North 60°17'36" East for 20.00 feet to a magnetic nail set at the southeast corner of said State of Ohio land, in the centerline of said Saint Paris Pike, in the west line of Burke and Richey's Plat 3029 on file in the Clark County Auditor's Office, and in City of Springfield corporation line;

thence with the centerline of said Saint Paris Pike, the west line of said Burke and Richey's Plat 3029, and said corporation line (and then leaving said corporation line), South 29°42'24" East for 381.78 feet to a magnetic nail set at the northeast corner of said Moser land;

thence with the north line of said Moser land, South 51°33'00" West (passing iron pins found at 27.36 feet and at 315.20 feet) for 325.30 feet to the **POINT OF BEGINNING**, containing 1.831 acres (0.166 acre are in said Section 1 and 1.665 acres are in said Section 6), of which 0.176 acres being in the existing right of way of Saint Paris Pike, subject, however to all prior covenants, conditions, restrictions, reservations and easements as recorded or unrecorded, pertaining to the above-described tract of land.

NOTES:

The above description was prepared from the results of a field survey made by Cosler Engineering LLC under the direct supervision of Mitchell W. Cosler, Ohio Registered Surveyor No. 6393, on February 15, 2021.

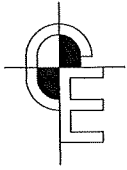
Iron pins found are 0.63 inch diameter iron pipes found are 1.0 inch diameter, in good condition, unless otherwise described. Iron pins referred to as set are 0.63 inch diameter steel long with yellow cap stamped COSLER 6393, set flush with the ground. Magnetic nails referred to as found or set are 0.25 inch diameter chrome with a 0.56 inch diameter head.

Bearings are based on NAD 83(2011)(EPOCH:2010.0000) State Plane Grid (3402 OH S) in US Survey Feet. Specifically, the bearing for the southeast line of Lot 18973 in North Bechtle Square Section Four N36°00'04"E. Divide grid distances by combined scale factor CF=0.99994647 to obtain ground surface distances.

By: Mitchell W. Cosler
Mitchell W. Cosler, Ohio Registered Surveyor No. 6393



Computer file: MITCH-PC3-D:\Civil 3D Projects\5324 - North Bechtle Square -Tract 1 - description.docx



Cosler Engineering, LLC
Civil Engineering • Land Surveying

545 Hilltop Road
Beavercreek Twp. OH 45385
(937) 426-9913
mcosler@sbcglobal.net

Exhibit A

Tract 2

Description of North Bechtle Square I Investments LLC Property

11.593 acres

March 8, 2021

Located in Section 6, Town 4, Range 9 Between the Miami Rivers, City of Springfield, Clark County, Ohio, and being part of an original 32.437 acre tract of land conveyed to North Bechtle Square I Investments LLC (Pt. Parcel #3300600006100019) by deed recorded in O.R. 1712, Page 1460 of the Official Records of Clark County, Ohio, more particularly described as follows:

Beginning at an iron pin (bent) found at the northeast corner of Lot 18973 in North Bechtle Square Section Four as recorded in Plat Book 18, Page 69 of the Plat Records of Clark County, Ohio and at the southeast corner of a 7.129 acre tract of land conveyed to Zuber Crossing LLC by deed recorded in O.R. 2152, Page 3551 (Parcel 5) of the Official Records of Clark County, Ohio;

thence with the east line of said Zuber Crossing LLC land, North 36°00'04" East for 409.46 feet to an iron pin set at the northeast corner of said Zuber Crossing LLC land and in the south line of a remaining part of a 2.41 acre tract of land conveyed to Gary Moser by deed recorded in O.R. 2160, Page 5368 (Tract I) of the Official Records of Clark County, Ohio;

thence with the south line of said Moser land and its easterly extension, said extension being the south line of a 0.913 acre tract of land conveyed to Gary Moser by deed recorded in O.R. 2160, Page 5368 (Tract II) of the Official Records of Clark County, Ohio, South 48°20'14" East (passing an iron pin [Hankinson cap] found at 37.06 feet) for 226.84 feet to an iron pin set at the southeast corner of said last-mentioned Moser land and in the north line of a 0.72 acre tract of land conveyed to Travis L. Yost and Krista M. Yost by deed recorded in O.R. 1409, Page 2009 of the Official Records of Clark County, Ohio;

thence with the north line of said Yost land for the following two (2) courses:

1. South 47°14'06" West for 93.18 feet to an iron pin found;
2. North 84°34'45" West for 80.97 feet to an iron pin found at the northwest corner of said Yost land;

thence with the west line of said Yost land and its southwardly extension, said extension being the west lines of a 0.67 acre tract of land conveyed to Pamel Keller Reisner by deed recorded in O.R. 202, Page 286 of the Official Records of Clark County, Ohio, of a 1.00 acre tract of land conveyed to Jerry Ray by deed recorded in O.R. 1829, Page 2453 of the Official Records of Clark County, Ohio, of a 1.00 acre tract of land conveyed to David E. Hapner and Lee M. Hapner by deed recorded in O.R. 1608, Page 2155 of the Official Records of Clark County, Ohio, of a 1.65 acre tract of land conveyed to Robert Edward Fralick and Susan Lee Fralick by deed recorded in Deed Book 789, Page 447 of the Deed Records of Clark County, Ohio, of a 2.284 acre tract of land conveyed to Judith O. Hoy by deed recorded in Deed Book 835, Page 161 of the Deed Records of Clark County, Ohio, of a 1.00 acre tract of land conveyed to Diane M. Massie by deed recorded in O.R. 948, Page 301 of the Official Records of Clark County, Ohio, of a 1.00 acre tract of land conveyed to John Marcus Murray by deed recorded in O.R. 1830, Page 1073 of the Official Records of Clark County, Ohio, and of a 1.00 acre tract of land conveyed to Neher Burial Vault Company by deed recorded in O.R. 1411, Page 461 of the Official Records of Clark County, Ohio and then with the City of Springfield corporation line, South 03°30'29" West (passing an iron pin found at 49.94 feet) for 997.16 feet to an iron pin set at the southwest corner of said Neher Burial Vault Company land and in the north line of a 2.500 acres tract of land conveyed to Neher Burial Vault Co. Inc. by deed recorded in Deed Book 802, Page 261 of the Deed Records of Clark County, Ohio;

thence still with said corporation line (and then leaving said corporation line) and with the north line of said Neher Burial Vault Co. Inc. land and its westwardly extension, said extension being the north line of a 34.876 acre tract of land conveyed to Grace Evangelical Lutheran Church of Springfield Ohio by deed recorded in O.R. 742, Page 22 of the Official Records of Clark County, Ohio, North 84°37'52" West (passing an iron pin found at 266.34 feet) for 782.78 feet to an iron pin (Woolpert cap) found at the southeast corner of said Lot 18973;

thence with the east line of said Lot 18973, North 36°00'04" East for 985.41 feet to the POINT OF BEGINNING, containing 11.593 acres, subject, however to all prior covenants, conditions, restrictions, reservations and easements as recorded or unrecorded, pertaining to the above described tract of land.

NOTES:

The above description was prepared from the results of a field survey made by Cosler Engineering LLC under the direct supervision of Mitchell W. Cosler, Ohio Registered Surveyor No. 6393, on February 15, 2021.

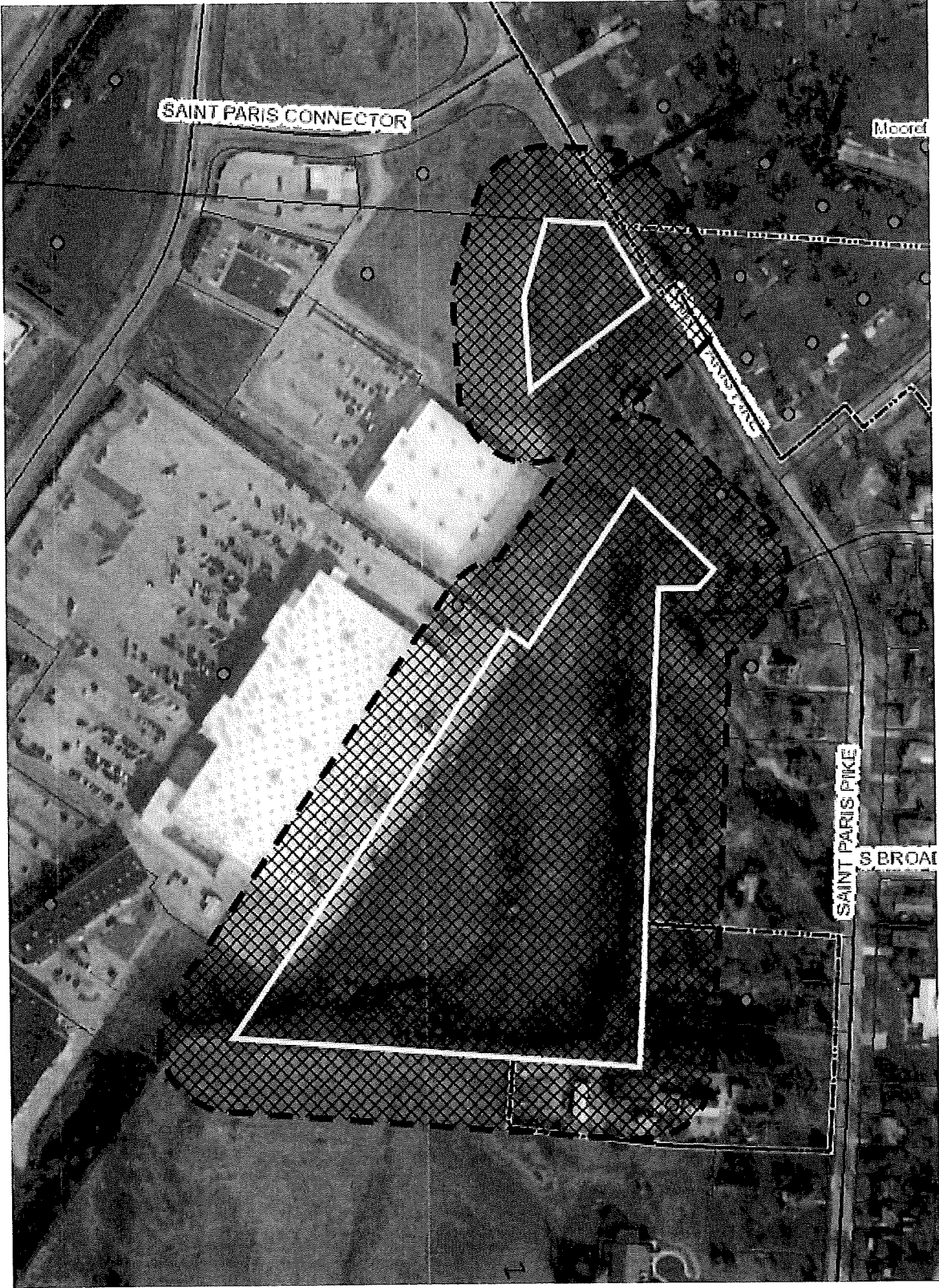
Iron pins found are 0.63 inch diameter iron pipes found are 1.0 inch diameter, in good condition, unless otherwise described. Iron pins referred to as set are 0.63 inch diameter steel long with yellow cap stamped COSLER 6393, set flush with the ground. Magnetic nails referred to as found or set are 0.25 inch diameter chrome with a 0.56 inch diameter head.

Bearings are based on NAD 83(2011)(EPOCH:2010.0000) State Plane Grid (3402 OH S) in US Survey Feet. Specifically, the bearing for the southeast line of Lot 18973 in North Bechtle Square Section Four is N36°00'04"E. Divide grid distances by combined scale factor CF=0.99994647 to obtain ground surface distances.

By: Mitchell W. Cosler
Mitchell W. Cosler, Ohio Registered Surveyor No. 6393



Computer file: MITCH-PC3-D:\Civil 3D Projects\5324 - North Bechtle Square – Tract 2 - description.docx



STAFF REPORT

TO: City Planning Board

DATE: June 2, 2021

PREPARED BY: Stephen Thompson

SUBJECT: Lot Split Variance Case #21-LS-01

GENERAL INFORMATION:

Applicant: Calibre Engineering, 10534 B Success Ln., Centerville, OH 45458

Owner: North Bechtle Square I Investments LLC, 10085 Wellington Blvd., Powell, OH 43062

Requested Action: A lot split variance from the Subdivision Regulations

Purpose: To allow for a lot split variance for parcel #3300600006100019 – Bechtle Ave, to create a new parcel without frontage along a street.

Location: Bechtle Ave – behind 2100 Bechtle Ave.

Size: 13.27 acres

Existing Land Use and Zoning: Undeveloped, CC-2A, Shopping Center District

Surrounding Land Use and Zoning: North: Residential, RS-5
East: Residential, RS-5
South: Residential, RS-5
West: Commercial, CC-2A

Applicable Regulations: Chapter 1203.03 Lots

File Date: May 18, 2021

BACKGROUND:

The subject property is currently one parcel, despite the fact it is not contiguous. The owner is requesting to split these so they become two separate parcels. Nothing is changing as far as zoning or the size of the two pieces. A variance is needed since the parcel behind Wal Mart does not have frontage on a public right of way. Access to this parcel will be via existing easement agreements.

ANALYSIS:

Except as provided below, all lots must have frontage on a public street other than a controlled or limited access street. The end width of an existing street shall not be used as frontage as stated in Section 1203.02(b). Access to this parcel is permitted via easement agreements with the surrounding parcels along Bechtle Ave.

Staff Comments:

City Manager’s Office:	No objections
City Service Department:	No objections
City Police Department:	No objections
City Fire Department:	No objections
City Building Inspections Division:	No objections
Planning/Zoning Division:	No objections

STAFF RECOMMENDATION:

Approval of the lot split variance.

ATTACHMENTS:

1. Vicinity map
2. Conceptual Lot Split Survey Map
3. Petition with attachments



Calibre Engineering
Common Sense Engineering



May 15, 2021

Stephen Thompson
Planning, Zoning, and Code Administrator
76 E. High St.
Springfield, OH 45502

Re: Bechtle Square Land Lot Split
Parcel Number: 3300600006100019
Clark, County, Springfield, OH

Dear Steve:

We are requesting a Lot Split of reference parcel in conjunction with the land use changes previously approved but the City. Currently two tracts are listed as one parcel in the County Records. The 11.593 acre tract located behind the Hobby Lobby and Walmart will not have direct public road frontage but will be accessible through current easement agreements.

Should you have any questions regarding the above, please contact me.

Sincerely,

Art Harden, P.E.
President

AH/km

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Calibre Engineering
10534-B Success Lane, Centerville, OH 45458
Phone/Fax 937.885.9380
CalibreEng@AOL.COM



**Lot Split Variance# 21-LS-01
Bechtle Ave.**

Agenda Item # 7
Case # 21-DS-01
Dual Street Naming

**FOR OFFICE USE ONLY**Case #: 21-DS-01Date Received: 5/3/21Received by: STApplication Fee: \$ 50 + 1/2

Review Type:

☐ Admin ☒ CPB ☐ BZA**GENERAL APPLICATION****A. PROJECT**1. Application Type & Project Description (*attach additional information, if necessary*):Dual Street Naming

2. Address of Subject Property: _____

3. Parcel ID Number(s): _____

4. Full legal description attached? ☐ yes ☐ no

5. Size of subject property: _____

6. Current Use of Property: _____

7. Current Zoning of Property: _____

B. APPLICANT1. Applicant's Status (*attach proof of ownership or agent authorization*) ☐ Owner☐ Agent (*agent authorization required*) ☐ Tenant (*agent authorization required*)2. Name of Applicant(s) or Contact Person(s): Marcia Carr HaglerTitle: N/ACompany (if applicable): N/AMailing address: 300 E. Krepps Rd.City: Xenia State: OH ZIP: 45385Telephone: (937) 750-1005 Fax: (937) 862-9901Email: MCHagler@woh.rr.com

3. If the applicant is agent for the property owner:

Name of Owner (title holder): _____

Mailing Address: _____

City: _____ State: _____ ZIP: _____

**I/WE CERTIFY AND ACKNOWLEDGE THAT THE INFORMATION
CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY/OUR
KNOWLEDGE.**

Marcia Carr Hagler
Signature of Applicant

Signature of Co-applicant

Marcia Carr Hagler
Typed or printed name and title of applicant

Typed or printed name of co-applicant

State of Ohio

County of Green

The foregoing instrument was acknowledged before me this 30 day of
April, 2021

by Marcia Carr Hagler (name of person acknowledged).

(seal)



[Signature]
Notary Public Signature

My commission expires: July 29 2022



☐ Planning & Zoning

CITY OF SPRINGFIELD
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING & ZONING DIVISION

STREET RENAMING APPLICATION

Date April 30, 2021
Applicant Name: Marcia Carr Hagler
Phone: 937.750.1005
Address: 300 E. Krepps Rd, Xenia OH 45385

Please attach the following Exhibits:

Exhibit A

A plot plan is to be attached depicting the street to be renamed showing the current name of the street and the proposed name for the street. The plot plan should include all intersections that the applicant intends to have signed with the new street name.

Exhibit B

State the reasons for the requested street renaming. (These statements will be considered by the Planning Staff, The City Planning Board, and the City Commission as the request is reviewed.) This is to be attached and made a part of this petition.

Exhibit C

Letter from the applicant stating their understanding that they are responsible for the $\frac{1}{2}$ the costs of the new signage related to the street renaming. Letter must be notarized.

I, the undersigned, depose and state that I am an interested party in the street renaming involved in this petition.

Marcia Carr Hagler
Signature

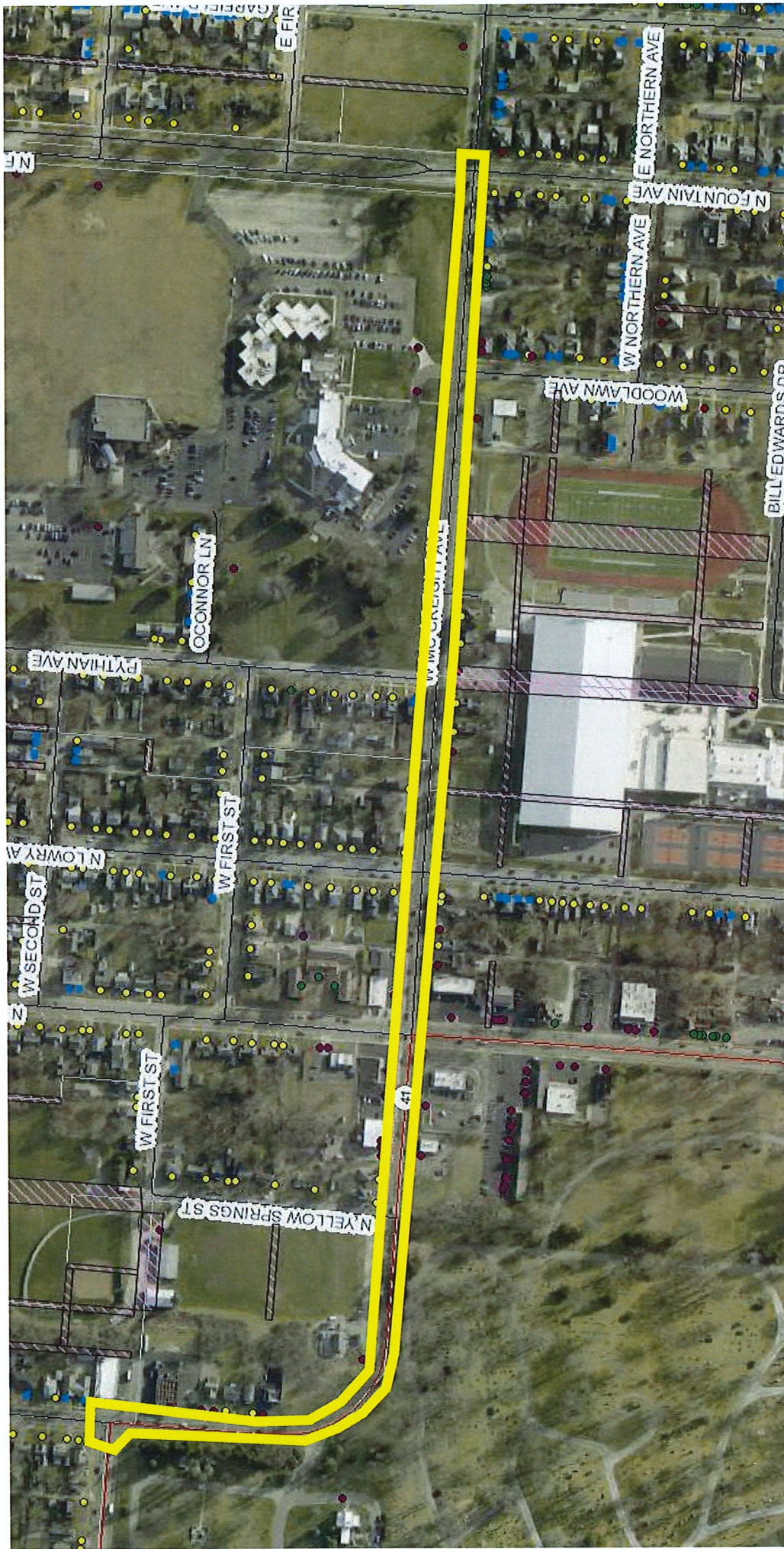


Exhibit B: Reasoning for the Requested Street Renaming

Requested streets for dual street naming (large signing):

- McCreight/Fountain Ave. Intersection (2 signs)
- McCreight/Plum Street Intersection (2 signs)
- McCreight (St. Paris)/ First Street (1 sign)

Reasoning for requesting dual naming rights of: "Hermann the Magician Way".

For over 20 years, Herman (Officer Carr) was so proud to march in the Memorial Day parade to lead his school safety patrol students and adult patrol members. The streets selected for the dual naming were selected as this was the original route for the parade. The parade disassembled between the entrance to Ferncliff Cemetery and First St. This is also the final resting place of Herman, who lays at rest, in a mausoleum no more than 50' from this location.

Hermann closely intertwined both his magic performances and police work in the schools that he visited on a regular basis. Students related to him as both Officer Carr (Herman) and "Hermann the Magician" as they knew him on a first name basis. He performed magic shows at pretty much every Springfield and surrounding area school. While Herman retired from the Springfield Police Department after 27 years of service in 1988, he never retired from magic, even after 75 years, until his final resting place. Hermann also quoted more than once – "You never retire from magic. You're a magician for life." (See attachment)

EXHIBIT B – Supporting Background

Herman C. Carr

May 29, 1936 – September 20, 2019

Birth Place: Cable, Ohio

Herman Carr touched so many lives in Springfield and the surrounding area. As Hermann the Magician, he entertained citizens of Springfield for more than 68 years with his wonderful magic. His love of magic was apparent. He would perform anywhere, from his front yard to the White House in Washington D.C.

Herman was known to many as “Hermann the Magician”. He lived in Urbana early on, where he first experienced the world of magic. While in the third grade (1944) at South Ward School in Urbana, a magician, Benjamin Franklin IV, came to his school to perform and young Herman was intrigued. His teacher encouraged him to go to the library and learn magic on his own and soon he was performing for his classmates. Herman moved to Springfield in 1951 where he attended Roosevelt Junior High and performed shows in talent shows and for his classmates. He moved his act on to Springfield High School where he even managed to make the famously strict Principal Charles Fox smile. Herman served in the Armed Forces at Fort Devens in the Army while in the United Service Organization (USO) upon graduation from high school until 1961.

Hermann practiced magic for more than 75 years. Hermann and Marcia specialized in a variety of magical entertainment for all ages. “The Cavalcade of Magical Mysteries Illusion Stage Show” was produced and directed by Herman and Marcia. Herman was acclaimed the “Midwest Magic Specialist” by the Nation’s magical experts. The Carrs’ show was truly the Midwest million dollar illusion stage show.

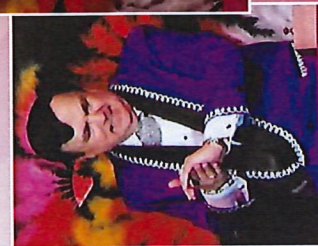
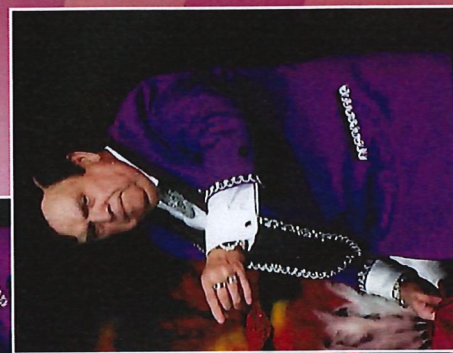
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As a Springfield Police Officer for 27 years, Herman Carr taught young children in the Safety City program that he created in 1968. In addition, Herman spent countless hours of service in the Springfield school systems working with students of all grades.

Herman was known to many as Officer Carr. He joined the Springfield Police Division in 1961. After spending the first few years in various departments, he joined the Community Relations Department. In 1968, he was the creator of the original "Safety City" program that taught safety classes to literally thousands of kindergarten age kids. Soon, Officer Carr became known on a first name basis as "Herman" to these students - driving police car #44 – which was then later retired upon Herman's retirement from the police department. He spent twenty years with the Community Relations Department and many, many hours of service in the Springfield school systems working with students of all grades. Herman continued to perform his magic in his spare time during those years. When he retired from the police department in 1988, he focused all of his time toward performing magic, always with the help of his wife and assistant, Marcia. He continued performing his magic all the way through 2017 but stayed active in reading and developing new affects until his passing in 2019.

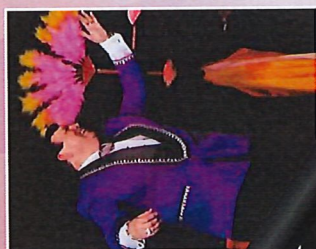
Herman was a life-time Member of the International Brotherhood of Magicians, Order of Merlin Excelsior, Society of American Magicians, Magician's Alliance of Eastern States and the International Magicians Society. He also had the honor of serving on the original Executive Board of Directors for the Columbus, Ohio Magi-Fest – the nation's largest regional magician's convention for numerous years. Additionally, Herman was a lifetime Mason.

For more insight and memories of Herman, please visit his Facebook tribute page – Herman Carr Tribute page.



5-29-1936 to 9-20-2019

*"If you do magic,
any kind of magic,
don't quit ... because
you are unique in
this world." - Siegfried*



STAFF REPORT

TO: City Planning Board

DATE: June 2, 2021

PREPARED BY: Stephen Thompson

SUBJECT: Dual Street Renaming Case #21-DS-01

GENERAL INFORMATION:

Applicant: Marcia Carr Hagler, 300 E Kreeps Rd., Xenia, OH 45385

Requested Action: Dual street renaming McCreight Avenue from N Fountain Boulevard to Saint Paris Road "Hermann the Magician Way"

Purpose: To honor the magician Hermann Carr

Location: W McCreight Avenue, Springfield, Ohio

Size: Approximately 0.7 mile

Existing Land Use and Zoning: Primary Arterial Street

Applicable Regulations: Chapter 905.02: Streets and alleys—name change
Chapter 157: Planning Board

File Date: May 17, 2021

BACKGROUND:

The applicant is requesting to dual name W McCreight Avenue from Fountain Avenue to St. Paris/First Street to "Hermann the Magician Way." The applicant states Officer Hermann Carr marched in the Memorial Day Parade to lead school safety patrol students and adult patrol members. He performed magic as "Hermann the Magician in Springfield and surrounding schools. He retired from the Springfield Police Department in 1988 after 27 years of service. This section of McCreight Avenue was chosen since it was the original parade route and Officer Carr's final resting place is in Ferncliff Cemetery.

ANALYSIS:

A street renaming is permitted under Chapter 905 of the code: Vacation or Narrowing of Streets. Specifically, Chapter 905.02 sets forth the rules and regulations governing street and alley name changes.

RETURNED REPORTS:

City Service Department:	Recommend denial - will add extra maintenance responsibility and unnecessary expense. Total cost is estimated at \$3200, with 1/2 being paid by the applicant.
Building Inspections:	No objections
Fire Division:	No objections
Police Division:	No objections
City Manager's Office:	Recommend denial – high cost of materials.
Planning and Zoning:	Recommend denial

STAFF RECOMMENDATION:

Denial of the request to dual name W McCreight Ave.

ATTACHMENTS:

1. Vicinity and zoning map
2. Petition with attachments

Exhibit B: Reasoning for the Requested Street Renaming

Requested streets for dual street naming (large signing):

- McCreight/Fountain Ave. Intersection (2 signs)
- McCreight/Plum Street Intersection (2 signs)
- McCreight (St. Paris)/ First Street (1 sign)

Reasoning for requesting dual naming rights of: "Hermann the Magician Way".

For over 20 years, Herman (Officer Carr) was so proud to march in the Memorial Day parade to lead his school safety patrol students and adult patrol members. The streets selected for the dual naming were selected as this was the original route for the parade. The parade disassembled between the entrance to Ferncliff Cemetery and First St. This is also the final resting place of Herman, who lays at rest, in a mausoleum no more than 50' from this location.

Hermann closely intertwined both his magic performances and police work in the schools that he visited on a regular basis. Students related to him as both Officer Carr (Herman) and "Hermann the Magician" as they knew him on a first name basis. He performed magic shows at pretty much every Springfield and surrounding area school. While Herman retired from the Springfield Police Department after 27 years of service in 1988, he never retired from magic, even after 75 years, until his final resting place. Hermann also quoted more than once – "You never retire from magic. You're a magician for life." (See attachment)

EXHIBIT B – Supporting Background

Herman C. Carr

May 29, 1936 – September 20, 2019

Birth Place: Cable, Ohio

Herman Carr touched so many lives in Springfield and the surrounding area. As Hermann the Magician, he entertained citizens of Springfield for more than 68 years with his wonderful magic. His love of magic was apparent. He would perform anywhere, from his front yard to the White House in Washington D.C.

Herman was known to many as "Hermann the Magician". He lived in Urbana early on, where he first experienced the world of magic. While in the third grade (1944) at South Ward School in Urbana, a magician, Benjamin Franklin IV, came to his school to perform and young Herman was intrigued. His teacher encouraged him to go to the library and learn magic on his own and soon he was performing for his classmates. Herman moved to Springfield in 1951 where he attended Roosevelt Junior High and performed shows in talent shows and for his classmates. He moved his act on to Springfield High School where he even managed to make the famously strict Principal Charles Fox smile. Herman served in the Armed Forces at Fort Devens in the Army while in the United Service Organization (USO) upon graduation from high school until 1961.

Hermann practiced magic for more than 75 years. Hermann and Marcia specialized in a variety of magical entertainment for all ages. "The Cavalcade of Magical Mysteries Illusion Stage Show" was produced and directed by Herman and Marcia. Herman was acclaimed the "Midwest Magic Specialist" by the Nation's magical experts. The Carrs' show was truly the Midwest million dollar illusion stage show.

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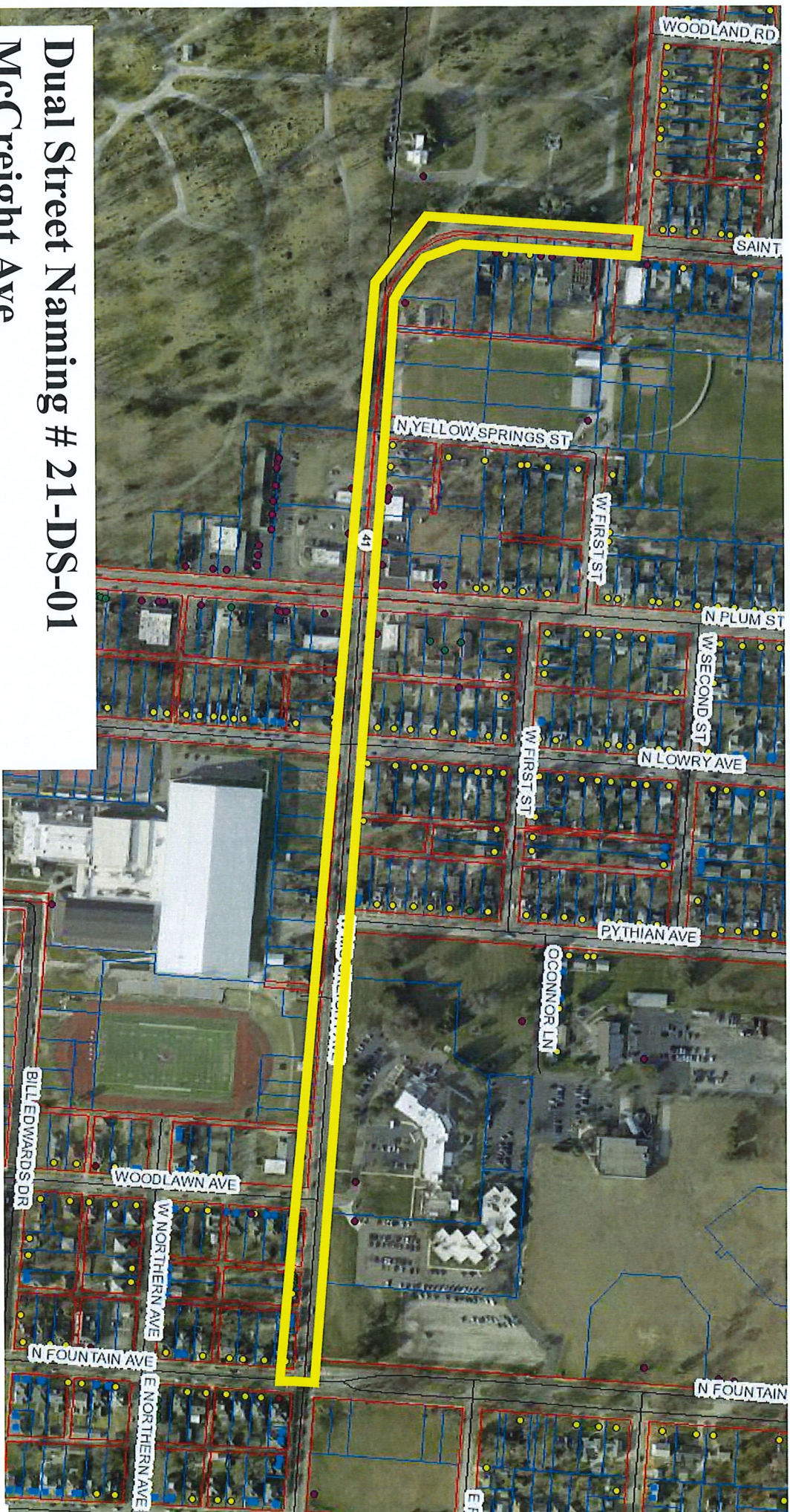
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Dual Street Naming # 21-DS-01
McCreight Ave.



2021 CITY PLANNING BOARD ATTENDANCE

BOARD MEMBERS		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
		11	8	8	12	10	7	12	9	13	11	8	13
Charlene Roberge Reso. 5878	3-17-2018 3-17-2021	P	N/A	P	N/A	n/a							
Kathryn Lewis-Campbell Reso. 5960	01-14-2020 01-28-2023	P	N/A	P	P	P							
Charles Harris Reso. 5927	03-29-2016 03-30-2022	P	N/A	P	P	P							
Trisha George Reso. 5772	4-02-2013 4-12-2022	P	N/A	P	A	P							
James Smith Reso. 5987	10/24/2017 10/24/2020	A	N/A	P	N/A	n/a							
Alex Wendt Reso. 6006	4/10/2018 4/24/2021	P	N/A	P	A	P							
Jack Spencer Reso. 6055	7/18/19 7/22/22	A	N/A	P	P	P							
Amanda Fleming	8/27/2019 1/01/2022	P	N/A	P	P	P							
Peg Foley Reso. 6101	12/08/2020 12/22/2023	P	N/A	P	P	P							
Christin Worthington Reso. 6111	02/16/2021 03/02/2024	N/A	N/A	P	P	P							
Lorin M Wear III Reso. 6114	03/16/2021 03/30/2024	N/A	N/A	N/A	P	P							

NOTE: The first date shown is the most recent appointment/reappointment date. The second date represents the most recent term's expiration. The City Commission Resolution is also listed.



Planning & Zoning

CITY OF SPRINGFIELD
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING AND ZONING DIVISION

City Planning Board
Regular Meeting - First Monday following the First Tuesday of the Month
7:00 P.M. - City Forum, City Hall, 76 E. High St., Springfield, Ohio

City Planning Board
Meeting Date:

January 11, 2021
February 8, 2021
March 8, 2021
April 12, 2021
May 10, 2021
June 7, 2021
July 12, 2021
August 9, 2021
September 13, 2021
October 11, 2021
November 8, 2021
December 13, 2021

Lotsplit Variance,
Rezoning, and Final
Subdivision
Application
Deadline:

December 21, 2020
January 15, 2021
February 12, 2021
March 22, 2021
April 19, 2021
May 17, 2021
June 21, 2021
July 19, 2021
August 23, 2021
September 20, 2021
October 18, 2021
November 22, 2021

Board of Zoning Appeals
Regular Meeting-Third Monday of the Month
7:00 P.M.- City Forum, City Hall, 76 E. High St., Springfield, Ohio

Board of Zoning

January 20, 2021 *
February 17, 2021 *
March 15, 2021
April 19, 2021
May 17, 2021
June 21, 2021
July 19, 2021
August 16, 2021
September 20, 2021
October 18, 2021
November 15, 2021
December 20, 2021

Application Deadline:

December 28, 2020
January 25, 2021
February 22, 2021
March 29, 2021
April 26, 2021
May 28, 2021
June 28, 2021
July 26, 2021
August 30, 2021
September 27, 2021
October 25, 2021
November 29, 2021

* Denotes meeting day changed to Wednesday due to holiday.

Effective Date: December 2020

Prepared by the Planning and Zoning Division

2021 CITY COMMISSION CALENDAR

JANUARY 2021						
Su	M	Tu	W	Th	F	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
MARCH 2021						
Su	M	Tu	W	Th	F	Sa
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7	8	9	10	11	12	13
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21	22	23	24	25	26	27
28	29	30	31	Retreat		
MAY 2021						
Su	M	Tu	W	Th	F	Sa
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30	31				Election Day	
JULY 2021						
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SEPTEMBER 2021						
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NOVEMBER 2021						
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28	29	30	Budget Mtgs		Election Day	

FEBRUARY 2021						
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APRIL 2021						
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JUNE 2021						
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AUGUST 2021						
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29	30	31				
OCTOBER 2021						
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DECEMBER 2021						
Su	M	Tu	W	Th	F	Sa
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